



January 9, 2004

SENATE BILL No. 34

DIGEST OF SB 34 (Updated January 6, 2004 12:20 pm - DI 106)

Citations Affected: IC 35-47.

Synopsis: Disclosures related to airline baggage. Provides that a person who knowingly or intentionally fails to disclose in writing to an airline that the person is transporting a firearm, an explosive, a destructive device, or a weapon of mass destruction as checked luggage commits a Class D felony.

Effective: July 1, 2004.

Zakas, Broden

November 18, 2003, read first time and referred to Committee on Rules and Legislative Procedure.

December 5, 2003, amended; reassigned to Committee on Criminal, Civil and Public Policy.

January 8, 2004, amended, reported favorably — Do Pass.

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SB 34—LS 6080/DI 13+



January 9, 2004

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

SENATE BILL No. 34

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-47-6-1.1 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2004]: **Sec. 1.1. (a) As used in this section, "dangerous device"**
4 **means:**

- 5 (1) **a firearm;**
6 (2) **an explosive;**
7 (3) **a destructive device (IC 35-47.5-2-4); or**
8 (4) **a weapon of mass destruction (IC 35-41-1-29.4).**

9 **(b) A person who knowingly or intentionally:**

- 10 (1) **checks an item for carriage by a commercial passenger**
11 **airline; and**
12 (2) **does not disclose in writing to the person to whom**
13 **possession of the item is delivered for carriage that the item**
14 **contains a dangerous device;**

15 **commits undisclosed transport of a dangerous device, a Class D**
16 **felony.**

SB 34—LS 6080/DI 13+



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COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 34, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Criminal Civil and Public Policy.

(Reference is to SB 34 as introduced.)

GARTON, Chairperson

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SENATE MOTION

Madam President: I move that Senator Broden be added as second author of Senate Bill 34.

ZAKAS

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COMMITTEE REPORT

Madam President: The Senate Committee on Criminal, Civil and Public Policy, to which was referred Senate Bill No. 34, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 6, delete "or".

Page 1, line 7, delete "a device that could:" and insert "**a destructive device (IC 35-47.5-2-4); or**

(4) a weapon of mass destruction (IC 35-41-1-29.4).".

Page 1, delete lines 8 through 10.

Page 1, line 14, after "disclose" insert "**in writing**".

and when so amended that said bill do pass.

(Reference is to SB 34 as printed December 8, 2003.)

LONG, Chairperson

Committee Vote: Yeas 9, Nays 0.

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